

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3239-01
Bill No.: HB 1259
Subject: Crimes and Punishment; Emergencies; Law Enforcement Officers and Agencies.
Type: Original
Date: January 22, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on <u>All</u> State Funds	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services (OPS)** assume that prosecutors could handle this proposal with existing resources. However, passage of more than one similar proposal could have a cumulative effect of increasing costs to prosecutors through increased caseloads.

Officials from the **Office of the State Public Defender (SPD)** assumed that existing staff could represent the 20 to 30 additional cases arising where indigent persons were charged with failure to obey a law enforcement officer. However, passage of more than one bill increasing penalties on existing crimes or creating new crimes would require the SPD to request increased appropriations to cover the cumulative cost of representing the indigent accused in the now more serious cases or in the new additional cases.

Officials from the **Department of Corrections (DOC)** state that currently, they cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY01 average of \$3.34 per offender, per day or an annual cost of \$1,219 per offender).

In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Oversight assumes that the conviction and probation of only one person would create a minimal fiscal impact of less than \$100,000 annually.

Officials from the **Office of the State Courts Administrator** and the **Department of Public Safety - Missouri Highway Patrol** assume this proposal will not fiscally impact their respective agencies.

In response to similar legislation from a previous year, officials from the **Office of the Attorney General** and the **Department of Public Safety**, divisions of **Fire Safety, Capitol Police, Liquor Control, Missouri Water Patrol, and State Emergency Management Agency** each assumed the proposal would have no fiscal impact on their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE			
<u>Costs</u> - Department of Corrections	(Less than	(Less than	(Less than
Increased probation costs	<u>\$100,000)</u>	<u>\$100,000)</u>	<u>\$100,000)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	(LESS THAN <u>\$100,000)</u>	(LESS THAN <u>\$100,000)</u>	(LESS THAN <u>\$100,000)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal makes it a class A misdemeanor to violate the lawful order of a law enforcement officer at the scene of an accident or emergency.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety

RS:LR:OD (12/01)

Office of Prosecution Services
Office of the State Public Defender
Office of the State Courts Administrator
Department of Corrections
Office of the Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Acting Director

January 22, 2002